

REMARKS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and the following remarks. Paragraph numbers refer to paragraphs of the Office Action.

DOMESTIC PRIORITY (¶1)

The specification has been amended to add the recitation required to obtain the domestic priority benefit of provisional application No. 60/092,029, under 35 U.S.C. §119(e).

LISTING OF REFERENCES (¶2)

Enclosed herewith is a Form PTO-1449, which lists all of the references cited in the International Search Report. It is respectfully requested that the Examiner initial this form in the spaces provided and return a copy to Applicants, so that the references will be listed on the face of the patent.

ABSTRACT (¶3)

An abstract on a separate sheet is appended to this paper, for inclusion in the application.

CLAIM AMENDMENTS (¶4)

Claims 5 and 7 have been amended to eliminate improper multiple dependencies. New claims 8-13 have been added in order to recoup coverage that otherwise would have been lost by virtue of these amendments to claims 5 and 7. Claims 5 and 7 have been further amended merely to improve their grammatical form.

DOUBLE PATENTING REJECTIONS (¶¶5-7)

Claims 1-4 are rejected for obviousness-type double patenting over “at least claims 4-5 and 9 of [Guirguis] U.S. Patent No. 6,379,565.” Claims 1-4 and 6 are rejected for obviousness-type double patenting over claim 32 of Guirguis (US 6,423,237) in view of Faulkner (US 5,624,554). In order to overcome these rejections, but without acquiescing in

them, Applicants file herewith a Terminal Disclaimer in respect to these two Guirguis patents. The rejections are now moot, and should be withdrawn.

CONCLUSION

Applicant believes that the application is now in condition for allowance. The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date JAN 06 2004

FOLEY & LARDNER
Customer Number: 22428
Telephone: (202) 672-5300
Facsimile: (202) 672-5399

By 

Alan I. Cantor
Attorney for Applicant
Registration No. 28,163